



## GRIEVANCE POLICY

### PURPOSE

To provide a set of principles and procedures for the resolution of grievances.

### POLICY STATEMENT

The Hutchins School is committed to ensuring a harmonious, fair and just working and learning environment by ensuring that staff and students have access to processes that allow for grievances, disputes, problems and complaints to be resolved.

All managers and supervisors have an obligation and responsibility to proactively promote a workplace free of workplace bullying and intimidation whether this is between staff members, between parents and staff or between staff and students. All grievances will be dealt with in a supportive environment without victimisation or intimidation of anyone connected with the grievance either during or subsequent to a grievance resolution procedure.

### RECOMMENDED PROCESS FOR RESOLVING GRIEVANCES

#### Informal Process

- The attached documents outline steps to be taken by:
  - (a) Staff
  - (b) Parents
  - (c) Students
  - (d) International Students
  - (e) Community

#### Formal Process

- A formal complaint may be initiated if informal procedures are not successful or in situations where the allegations are more serious and informal procedures would be inappropriate.
- Assistance may be sought from the School Counsellor who may arrange mediation.
- The attached Formal Grievance Form must be completed and submitted to the Deputy Headmaster, who will convene and chair the Grievance Committee. The Committee will include a person nominated by the aggrieved and a staff member from the relevant area, who will be nominated by the Deputy Headmaster. If the complaint is against the Deputy Headmaster, the Grievance Form must be submitted to the Headmaster. If the complaint is against the Headmaster, then refer to The Hutchins School Grievance Policy against the Headmaster.

- The Committee will seek to resolve the matter within ten (10) working days and the Deputy Headmaster will notify in writing all parties involved of the decision taken.
- If the parties agree to the Committee's resolution then the matter is closed. In such circumstances both parties will be required to sign a statement which includes details of the resolution and acknowledges that the matter is resolved.
- The complainant or appellant will be provided with a copy of the written statement which details the outcome and includes details of the reasons for the outcome.
- Any decision taken by the Committee may be appealed to the Headmaster, who will be responsible for the final decision.
- At any stage in the formal complaint process, a participant involved may seek external support and assistance including but not limited, to legal advice or representation from an external organisation.

Depending on the nature of the complaint, arbitration is available to participants via Fair Work Australia.

## RECORDS

Where the matter becomes a formal complaint, it is expected that all parties, including the School, shall maintain documentary records of meetings, correspondence, steps taken to resolve a matter etc dealt with under these guidelines. At this time, parties involved should be asked for background information, and notes will be taken of the information furnished. Furthermore, any records, once the formal complaint is resolved, will be kept securely and confidentially in a file established for the purpose by the Headmaster but not in the staff member's personal file.

## INVESTIGATION

- The Headmaster must ensure that the complaint is given to the person against whom it is made as soon as is reasonably practicable after receiving it, having regard to the need for the Headmaster to be satisfied that the case is one:
  - (a) which is appropriate for a formal complaint
  - (b) in which the conduct is sufficiently described in the complaint
  - (c) in which the correct procedures under this Policy have been followed.
- The person against whom the allegation has been raised must respond to the allegations within fourteen (14) days of receiving the formal complaint.
- Following receipt of the response, the Headmaster (or Board delegate) shall then meet with each party in an attempt to identify the issues involved, review what steps have already been taken and give both parties an opportunity to undertake further informal measures. If the matter remains unresolved, the Headmaster should then advise them of the formal procedures to be followed.
- The Headmaster will appoint a trained, external investigator to carry out an investigation into the complaint. It would be expected that this would be completed and a report submitted to the Headmaster within ten working days. The investigation will include interviews with the complainant and the respondent, and if necessary with witnesses called by either party.

- The Headmaster and investigator will meet with both parties individually to discuss the report, its implications and the steps that will be taken to resolve the matter.
- If, at any stage of the resolution, the Headmaster (or Board delegate) believes and/or is advised\* that the matter may involve criminal activity, the Headmaster (or Board delegate) is obliged to refer the matter to the appropriate authorities. In such instances the activities to resolve the matter will be suspended until such time as the authorities have completed their inquiries, and the School reserves the right to take whatever other steps may be appropriate to manage the matter in the intervening period.  
*\*In instances where the Headmaster (or Board delegate) is only co-ordinating the resolution of the matter.*
- If a resolution to the matter is reached (ie withdrawal or dismissal of the allegations, recommendations to prevent a recurrence, an apology, counselling, etc) the matter is closed. In such circumstances both parties will be required to sign a statement which includes details of the resolution and acknowledges that the matter is resolved.
- If the issue is unresolved due to lack of evidence, both parties will be advised that the matter cannot proceed.

## **NATURAL JUSTICE**

Both individuals accused of harassment and/or bullying and individuals making complaints of harassment and/or bullying within the terms of these guidelines have the right to be afforded natural justice.

A person accused of harassment and/or bullying has the right to:

- be informed of the nature of the allegations in the first instance
- respond to the allegations
- an impartial hearing, and fair and equitable treatment
- an understanding that all reasonable care will be taken to ensure the matter is handled confidentially
- engage the person or organisation of their choice to provide assistance and support throughout the course of the matter (e.g. assisting with the preparation of responses, representation, accompanying to meetings, etc)
- access to any documentation to be relied on by any person in the hearing relating to the complaint (including the person hearing the complaint)

A person making a complaint of harassment or bullying has the right to:

- an understanding that all reasonable care will be taken to ensure the matter is handled confidentially
- an impartial hearing, and fair and equitable treatment
- engage the person or organisation of their choice to provide assistance and support throughout the course of the matter

- access to any documentation to be relied on by any person in the hearing relating to the complaint (including the person hearing the complaint)

**Policy Created by:** Human Resources Advisor  
**Document Title:** Grievance Policy  
**Document Version:** 2.0  
**Online Location:** <http://apollo.hutchins.tas.edu.au/staff/Policy%20Information>

**Date of First Issue:** Unknown  
**Last Review Date:** 1 May 2011  
**Next Review Date:** 1 May 2013  
CRICOS Registration No 00478F

## **GRIEVANCE POLICY AGAINST THE HEADMASTER**

### **PURPOSE**

To provide a set of principles and procedures for the resolution of grievances against the Headmaster.

### **POLICY STATEMENT**

The Hutchins School is committed to ensuring a harmonious, fair and just working and learning environment by ensuring that staff and students have access to processes that allow for grievances, disputes, problems and complaints to be resolved.

All managers and supervisors have an obligation and responsibility to proactively promote a workplace free of workplace bullying and intimidation whether this is between supervisors and staff, between staff members or between staff and students. All grievances will be dealt with in a supportive environment without victimisation or intimidation of anyone connected with the grievance either during or subsequent to a grievance resolution procedure.

### **A note concerning the Headmaster's position**

The welfare of the whole School is important as is resolving the grievance. The process established to resolve the issue should enable the normal functioning of the School where possible i.e. the Headmaster and the School need to continue operating together.

### **RECOMMENDED PROCESS FOR RESOLVING GRIEVANCES AGAINST THE HEADMASTER**

Once a grievance has been received:

- Contact between the Headmaster and the Complainant would not occur (except in an exceptional circumstance) and the Deputy would assume responsibility for school communication with the complainant.
- The Headmaster will inform the Chairman of the School Board of the complaint.
- The role of the Chair of the School Board is to:
  - (a) Ensure the School Board is properly briefed and the individual members of the Board adhere to the mutually agreed guidelines.
  - (b) Ensure the Headmaster is accorded natural justice and the guidelines for the role of the Board are adhered to.
  - (c) Be responsible for controlling the publicity and communication to the whole school body when the complaint is filed and concluded.
- The role of the Board is to ensure correct processes are observed along mutually agreed guidelines.

## **Informal Process**

The *Recommended Process for Resolving Grievances – Staff* should be followed i.e. all attempts should be made to resolve the situation informally.

## **Formal Process**

If the informal process as documented fails then the Headmaster will inform the Chairman of the School Board and a mutually agreeable independent investigator will be appointed. The investigation will include interviews with the complainant and the respondent, and if necessary with witnesses called by either party.

For the purposes of this policy, the independent investigator's decision will be final. (Either party always has the right to pursue other avenues.)

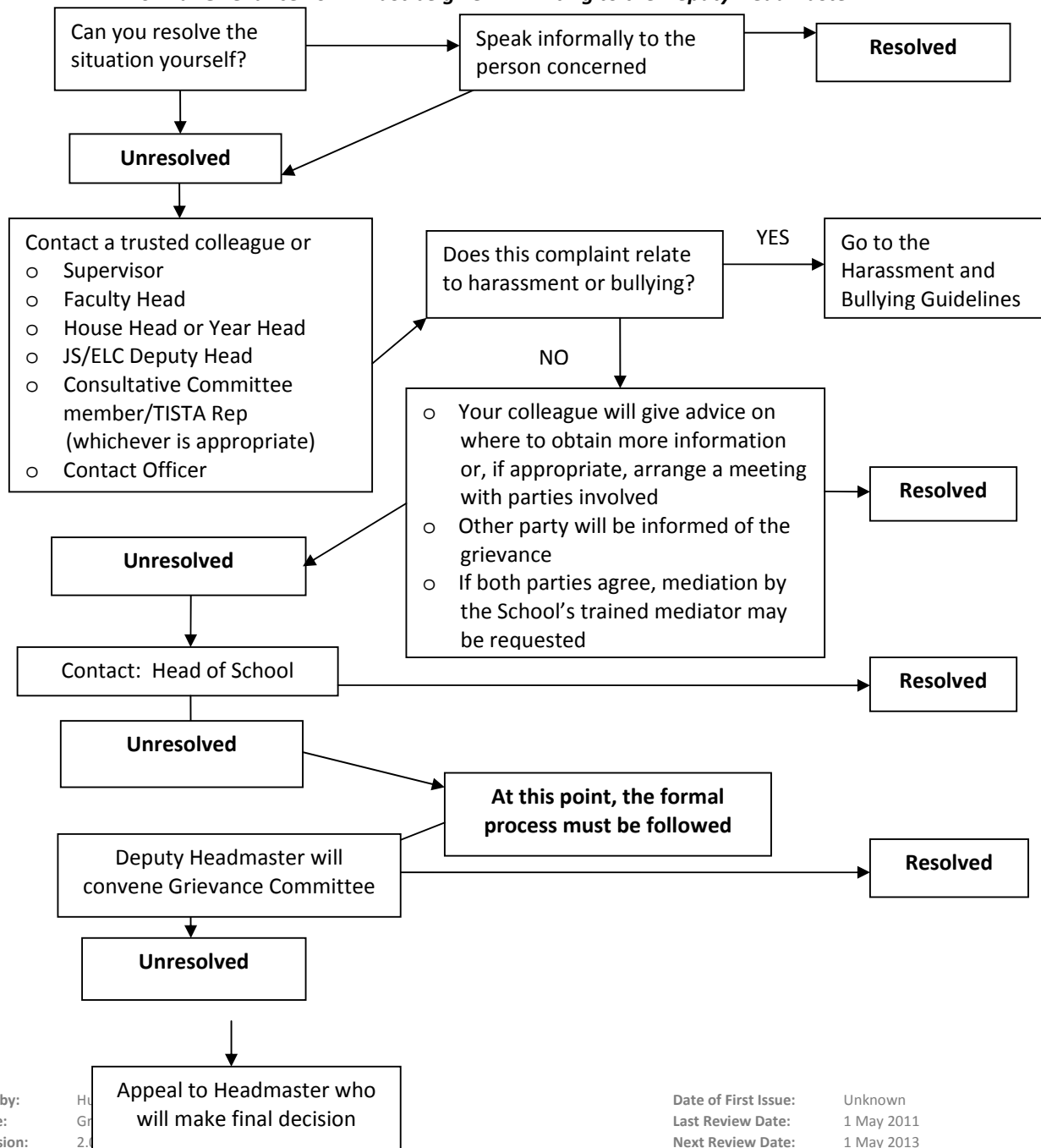
Following the Independent Investigator's Report, the School Board will determine the consequences for the Headmaster. This may range from 'no case to answer' to dismissal. The School Board should notify the Headmaster in writing and include the follow-up process to be undertaken, if any.

## THE HUTCHINS SCHOOL RECOMMENDED PROCESS FOR RESOLVING GRIEVANCES – STAFF

The Hutchins School is committed to providing effective mechanisms for dispute resolution for its employees, students, parents of the School, members of the community and other bodies associated with the School and its functions.

*Advice on how to proceed can be obtained from Faculty Heads, Heads of House, Year Heads or Contact Officers.  
A complainant may proceed straight to a formal complaint at any stage if the issue is sufficiently serious or is not resolved to the satisfaction of the aggrieved person.*

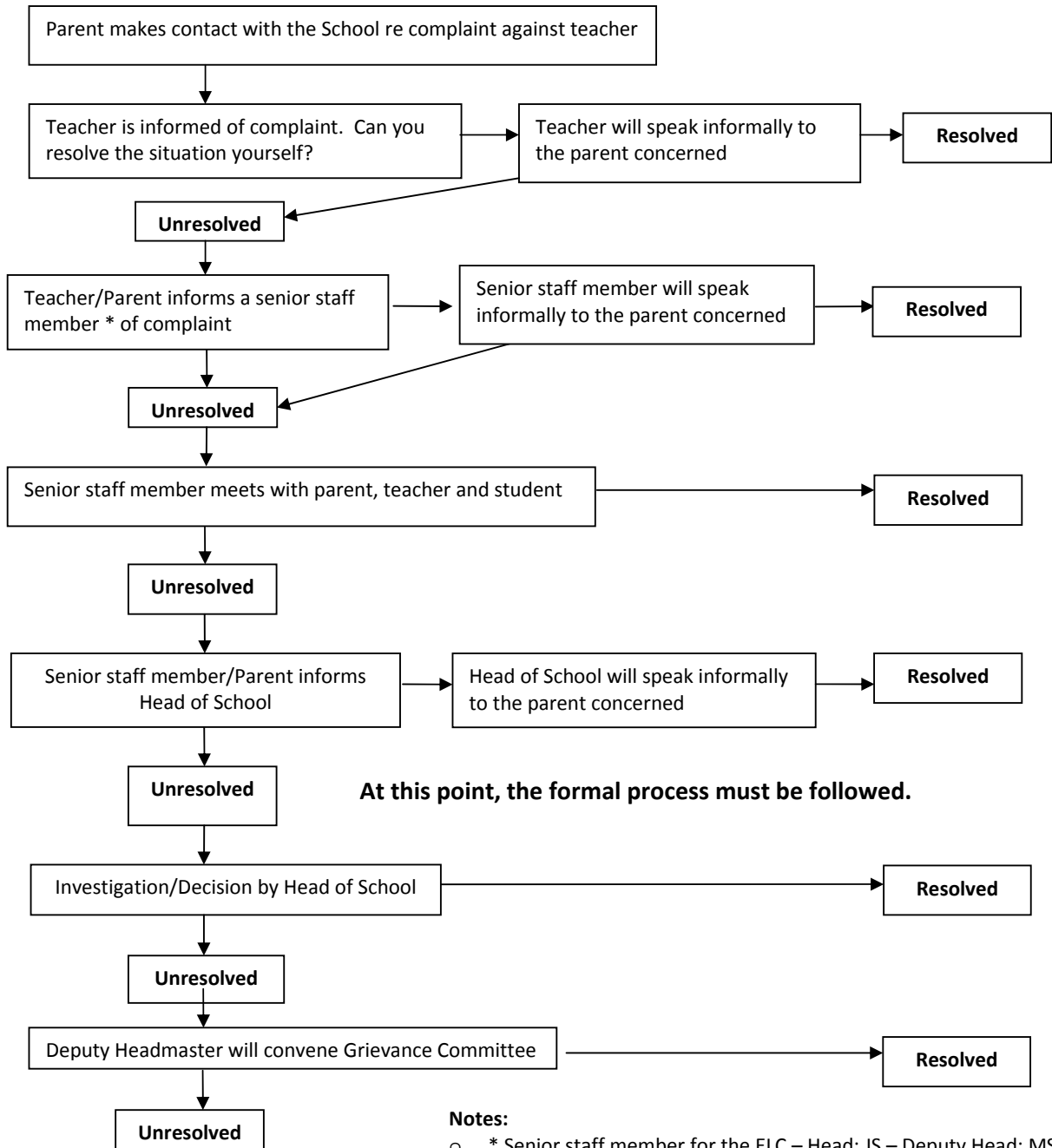
**A Formal Grievance Form must be given in writing to the Deputy Headmaster.**



## THE HUTCHINS SCHOOL RECOMMENDED PROCESS FOR RESOLVING GRIEVANCES – PARENTS

The Hutchins School is committed to providing effective mechanisms for dispute resolution for its employees, students, parents of the School, members of the community and other bodies associated with the School and its functions.

*It is recommended that in the first instance parents make contact with the teacher concerned. At all stages the teacher will be kept informed.*



**At this point, the formal process must be followed.**

### Notes:

- \* Senior staff member for the ELC – Head; JS – Deputy Head; MS – Year Head; SS – Head of House/Head of Faculty
- Any grievances against the Deputy Headmaster will be dealt with by the Headmaster



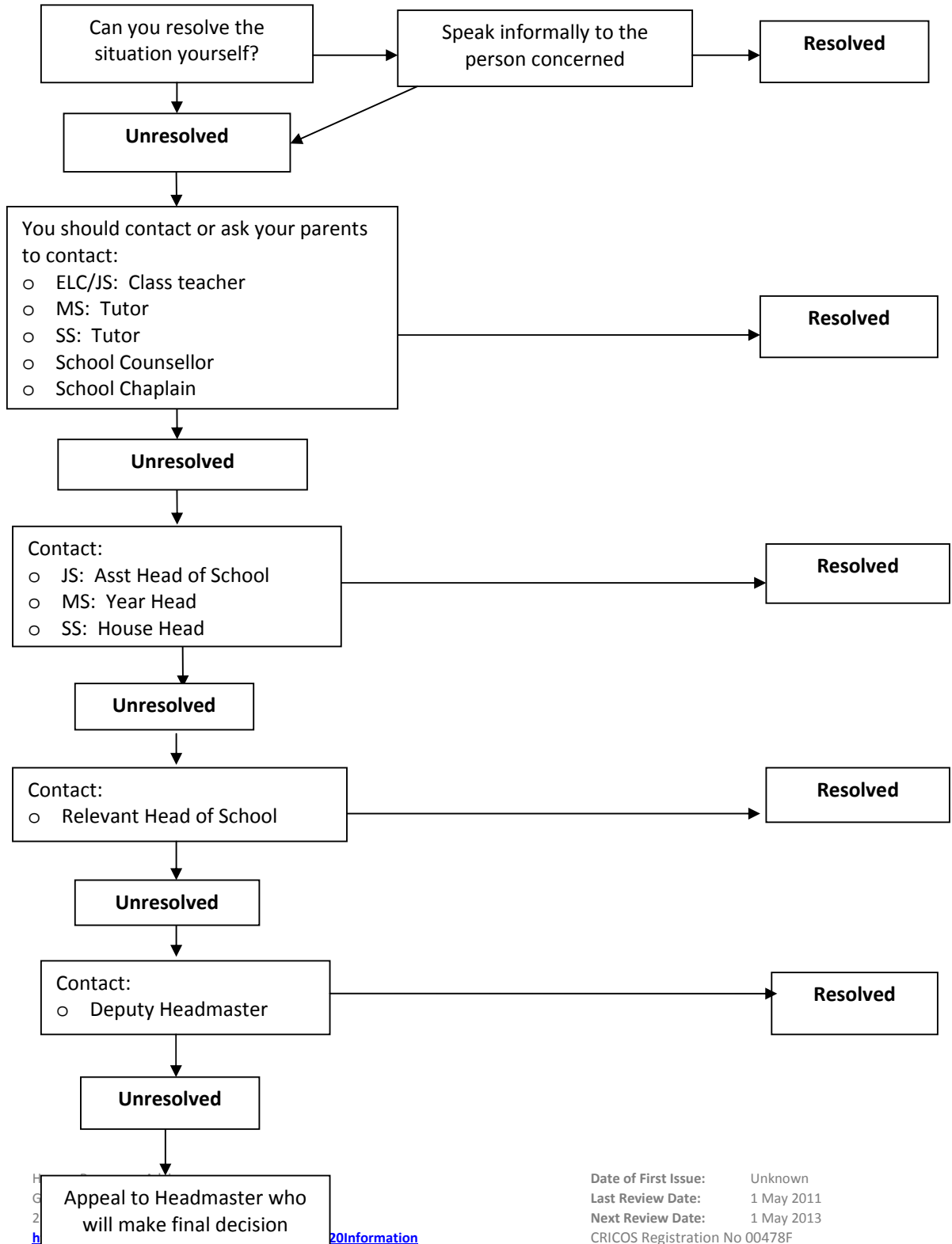
Appeal to Headmaster who will make  
final decision

**Policy Created by:** Human Resources Advisor  
**Document Title:** Grievance Policy  
**Document Version:** 2.0  
**Online Location:** <http://apollo.hutchins.tas.edu.au/staff/Policy%20Information>

**Date of First Issue:** Unknown  
**Last Review Date:** 1 May 2011  
**Next Review Date:** 1 May 2013  
CRICOS Registration No 00478F

**THE HUTCHINS SCHOOL  
RECOMMENDED PROCESS FOR RESOLVING GRIEVANCES – STUDENTS**

The Hutchins School is committed to providing effective mechanisms for dispute resolution for its employees, students, parents of the School, members of the community and other bodies associated with the School and its functions.



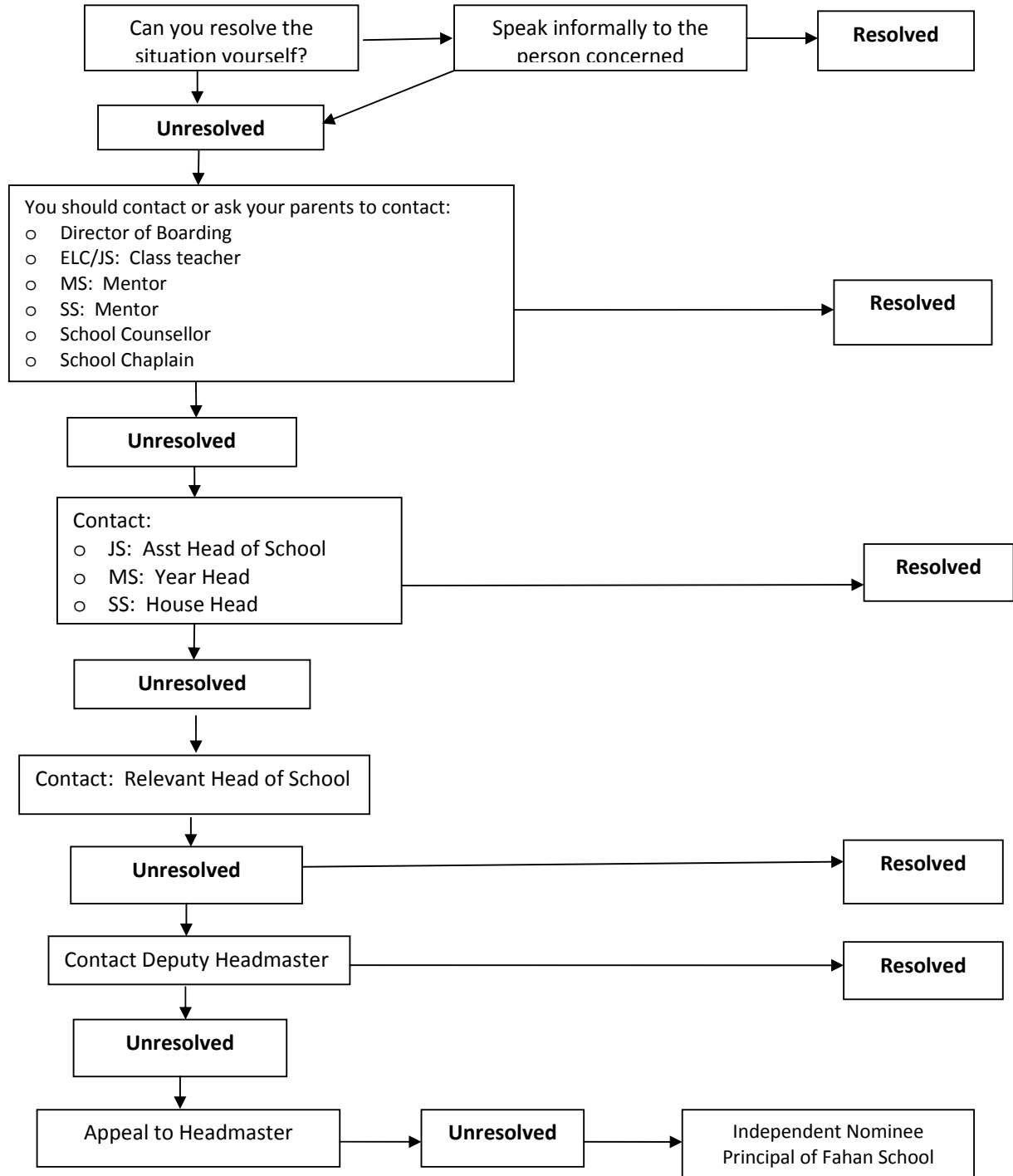
**Policy Created by:** Human Resources Advisor  
**Document Title:** Grievance Policy  
**Document Version:** 2.0  
**Online Location:** <http://apollo.hutchins.tas.edu.au/staff/Policy%20Information>

**Date of First Issue:** Unknown  
**Last Review Date:** 1 May 2011  
**Next Review Date:** 1 May 2013  
CRICOS Registration No 00478F

**THE HUTCHINS SCHOOL  
INTERNATIONAL STUDENTS  
RECOMMENDED PROCESS FOR RESOLVING GRIEVANCES**

The Hutchins School is committed to providing an effective mechanism for dispute resolution for international students.

*Note: A student may, at any stage of this process nominate an independent person to be in attendance at meetings or to discuss matters on their behalf.*



**NOTE: In the event of a formal complaint or appeal process the Complainant or Appellant will be provided with a written statement of the outcome including details of the reasons for the outcome.**

**Policy Created by:** Human Resources Advisor  
**Document Title:** Grievance Policy  
**Document Version:** 2.0  
**Online Location:** <http://apollo.hutchins.tas.edu.au/staff/Policy%20Information>

**Date of First Issue:** Unknown  
**Last Review Date:** 1 May 2011  
**Next Review Date:** 1 May 2013  
CRICOS Registration No 00478F



**THE HUTCHINS SCHOOL  
FORMAL GRIEVANCE FORM**

**(to be submitted to the Deputy Headmaster who will acknowledge receipt of the complaint,  
convene the Grievance Committee and seek to resolve the matter within 10 working days)**

**Grievant's Name** ..... **Date:** .....

**Best Contact Phone Number** .....

Note: In most situations the grievant must have initiated the Informal Grievance Procedure before filing a written grievance. The statement need not follow any particular format but shall include sufficient information to clarify the issues relating to the grievance, a description of any actions already taken and an indication of the resolution sought.

**Summary of Grievance:**

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

**Action already taken:**

.....  
.....  
.....  
.....

**List persons who may be contacted to provide further information:**

.....  
.....

(Use additional paper if necessary)

---

**Remedy Sought:** .....

.....

**Signature of Grievant:** ..... **Date:** .....